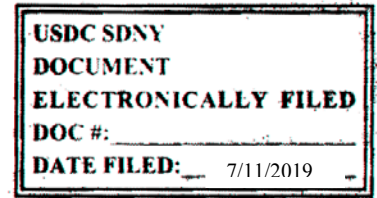


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



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In re:

TERRORIST ATTACKS ON
SEPTEMBER 11, 2001

03-MDL-01570 (GBD)(SN)

ORDER

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SARAH NETBURN, United States Magistrate Judge:

On July 2, 2019, the Plaintiffs' Executive Committees ("PECs" or "Plaintiffs") filed six petitions for a writ of *habeas corpus ad testificandum*. ECF Nos. 4637, 4641, 4645, 4649, 4653, 4657. Plaintiffs, in other words, seek to depose six individuals allegedly in the custody or control of the United States. These individuals can be divided into three groups: (1) deponents who are detained at USP Florence ADMAX in Florence, Colorado (the "Supermax Detainees"); (2) deponents who are detained at the Joint Task Force detention facility at Guantanamo Bay, Cuba (the "Guantanamo Detainees"); and (3) a single deponent who, according to Plaintiffs, is in the federal Witness Security Program (the "WitSec Deponent"). *Id.* Having reviewed Plaintiffs' meet-and-confer discussions with the Department of Justice, IT IS HEREBY ORDERED:

1. Plaintiffs' requests to depose the Supermax Detainees are GRANTED, provided that Plaintiffs agree to the five conditions enumerated on pages one and two of the DOJ's June 25, 2019 letter. This includes a threshold condition that the witnesses have indicated through counsel that they intend to participate in a deposition.

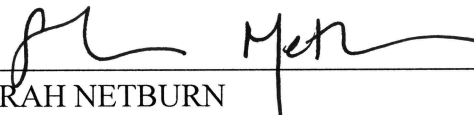
2. Plaintiffs are directed to consult with counsel for the Guantanamo Detainees to determine if the witnesses object to participating in a deposition in this multi-district litigation.

To the extent any Guantanamo Detainee does not raise any objections, Plaintiffs are directed to

conduct an additional meet-and-confer with the Department of Justice. Plaintiffs shall file a status letter regarding the Guantanamo Detainees no later than Friday, July 26, 2019.

3. Plaintiffs' request to depose the WitSec Deponent is DENIED without prejudice to renewal. See ECF No. 4641. Plaintiffs are directed to file a status letter within three days of their meet-and-confer with the Office of the Attorney General.

SO ORDERED.



SARAH NETBURN
United States Magistrate Judge

DATED: July 11, 2019
New York, New York